

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

MANUFACTURING VENTURES, LLC,)
d/b/a CRAFTCO HARDWOOD FLOORS,)
INC.,)
)
Plaintiff,)
)
v.) No. 06-2600 JPM-tmp
)
CUSTOM KILNS, INC., et al.,)
)
Defendants.)

CUSTOM KILNS, INC.,)
)
Counter-Plaintiff,)
)
v.)
)
CRAFTCO HARDWOOD FLOORS, INC.,)
)
Counter-Defendant.)

CUSTOM KILNS, INC.,)
)
Third-Party Plaintiff,)
)
v.)
)
ROSE MACHINE & TOOL, LLC, and)
PAUL FREUDENBERG d/b/a 55 CORP,)
)
Third-Party Defendant.)

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Magistrate Judge's Report and
Recommendation on James and Martin Pierron's Motion to Dismiss
(Doc. 212), entered January 16, 2008. The Magistrate Judge

recommends dismissal without prejudice of Martin Pierron and denial of the Motion to Dismiss as to James Pierron, based on agreement of the parties and consent to jurisdiction of this Court by James Pierron.

Because the parties have agreed to the recommendations incorporated into the Report and Recommendation, and upon de novo review of the Magistrate Judge's recommendation and review of the parties' submissions to the Court, the Court ADOPTS the Report and Recommendation in its entirety, DISMISSES Martin Pierron without prejudice, and DENIES Defendant's Motion to Dismiss as to James Pierron.

SO ORDERED this 16th day of January, 2008.

s/ JON PHIPPS McCALLA
UNITED STATES DISTRICT JUDGE